

**STANDARD APPLICATION**  
**Harford County**  
**Board of Appeals**  
Bel Air, Maryland 21014

Case No. 5499  
Date Filed 6/22/05  
Hearing Date \_\_\_\_\_  
Receipt \_\_\_\_\_  
Fee \$450

*Shaded Areas for Office Use Only*

**Type of Application**

- ☐ Administrative Decision/Interpretation  
☐ Special Exception  
☐ Use Variance  
☐ Change/Extension of Non-Conforming Use  
☐ Minor Area Variance  
☒ Area Variance  
☐ Variance from Requirements of the Code  
☐ Zoning Map/Drafting Correction

Nature of Request and Section(s) of Code \_\_\_\_\_

CASE 5499 MAP 32 TYPE Variance  
ELECTION DISTRICT 04 LOCATION 1723 Trotting Court, Jarrettsville  
BY David and Amelia Prochazka  
Appealed because a variance pursuant to Sec. 267-35B, Table III of the Harford  
County Code to permit an addition to maintain minimum side yard of 7' with a total of  
31' (minimum 15', total 35' required) in the RR District requires approval by the Board.

**NOTE:** A pre-conference is required for property within the NRD/Critical Area or requests for an Integrated Community Shopping Center, a Planned Residential Development, mobile home park and Special Exceptions.

**Owner (please print or type)**

Name David Raymond Prochazka Phone Number (410) 692-2794  
Address 1723 Trotting Ct Jarrettsville, MD 21084  
Street Number Street City State Zip Code

Co-Applicant Amelia Louise Prochazka Phone Number Same  
Address Same  
Street Number Street City State Zip Code

Contract Purchaser Paglia Contracting Co, Inc Phone Number 410-557-7444  
Address 3006 Andover Rd. Forest Hill, MD 21050  
Street Number Street City State Zip Code

Attorney/Representative \_\_\_\_\_ Phone Number \_\_\_\_\_  
Address \_\_\_\_\_  
Street Number Street City State Zip Code

## Land Description

Address and Location of Property 1723 Trotting Ct, Jarrettsville, MD 21084

Subdivision Steeplechase Manor Lot Number 38

Acreage/Lot Size 100/212x226 Election District 04 Zoning RR

Tax Map No. 32 Grid No. 4C Parcel 407 Water/Sewer: Private ☒ Public ☐

List ALL structures on property and current use: 1) 1-Story Brick Rancher 2) Wood deck  
3) Wood Shed for yard equipment

Estimated time required to present case: 15 min.

If this Appeal is in reference to a Building Permit, state number \_\_\_\_\_

Would approval of this petition violate the covenants and restrictions for your property? no

Is this property located within the County's Chesapeake Bay Critical Area? Yes ☐ No ☒

If so, what is the Critical Area Land Use designations: \_\_\_\_\_

Is this request the result of a zoning enforcement investigation? Yes ☐ No ☒

Is this request within one (1) mile of any incorporated town limits? Yes ☐ No ☒

## Request

See attached sheet.

## Justification

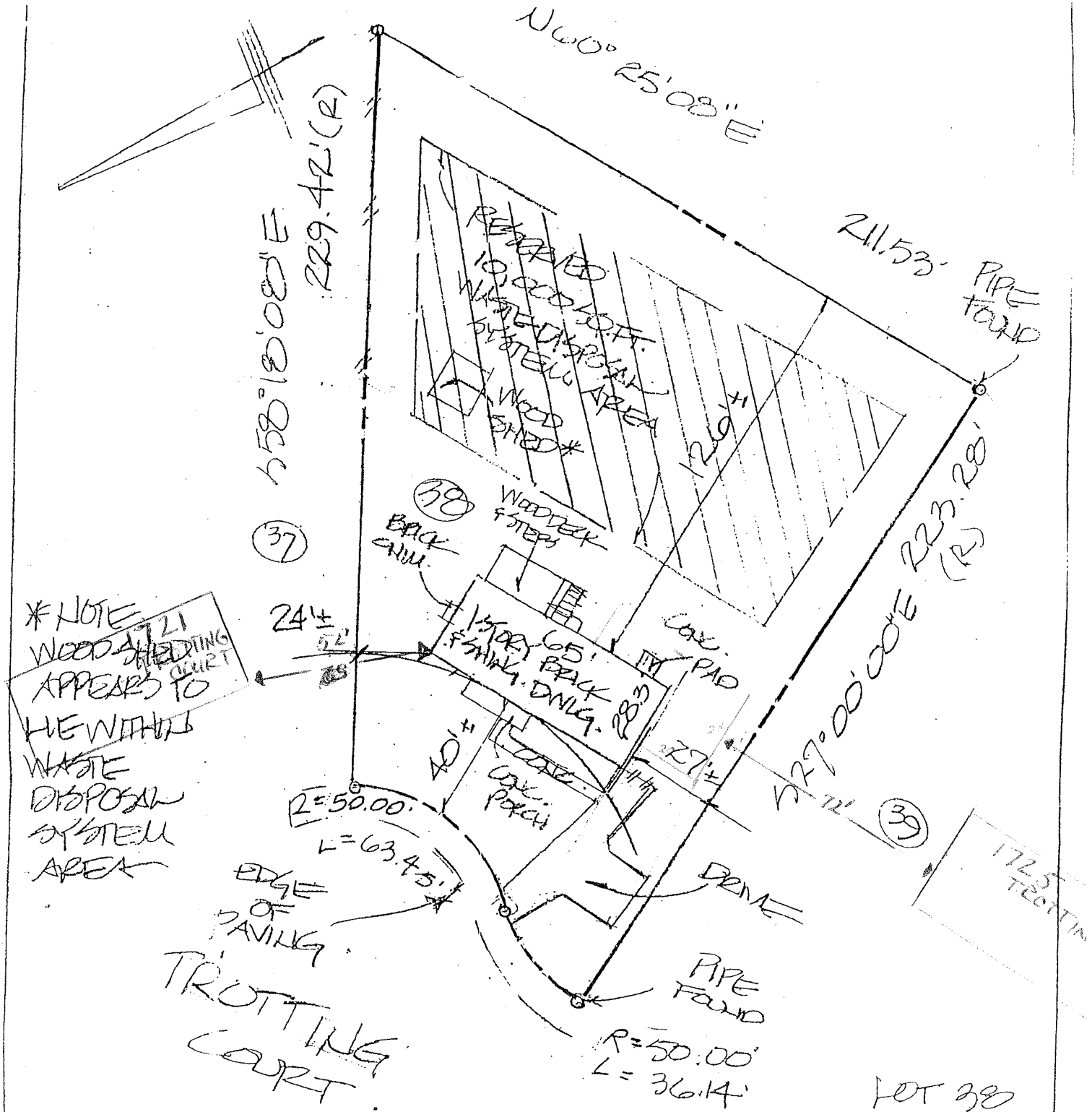
See attached sheet.

*If additional space is needed, attach sheet to application. In answering the above questions, please refer to the Requirements that pertain to the type of approval request. (Special Exception, Variance, Critical Area or Natural Resource District (NRD) Variance, etc.)*

## **Request for property set back variance to 1723 Trotting Ct. Jarrettsville, MD 21084**

### ***Garage location selected for the following reasons:***

- Requesting the new garage to be 20' wide due to the need for stairs which require 36" of width from the garage. The stairs are necessary to access the house in bad weather to accommodate Amy Prochazka's medical condition (Fibromyalgia).
- All existing garages on Trotting Ct are two car (18-24') in size. A one car garage would not be consistent with the integrity of the neighborhood.
- A detached garage cannot be built in the back of our property because it would sit on our septic drain field. There are currently no detached garages in the neighborhood.
- Due to the extreme slope of the yard, the grade of the driveway would make leaving the garage difficult during inclement weather.
- Our property has a unique pie shape due to its location on the court. The area closest to the court is much smaller than the back. But even though this size is small, we will still have 72' between the new structure and our neighbor's house located at 1725 Trotting Ct.
- Spoke with the neighbors of directly adjoining property (1725 Trotting Ct) Nancy and Steve Spies and they both have agreed that a garage would look nice and they were not concerned about the encroachment to their property line. Suggested to Nancy Spies about planting shrubbery between our new garage and their property, but they did not feel that was necessary.
- The present lay of our driveway is a straight line from the road to the proposed garage door opening.



LOT 38

REVISED FINAL PLAT  
SECTION THREE

STEEPLECHASE

MANOR

(31-39)

4TH ELECTION DISTRICT

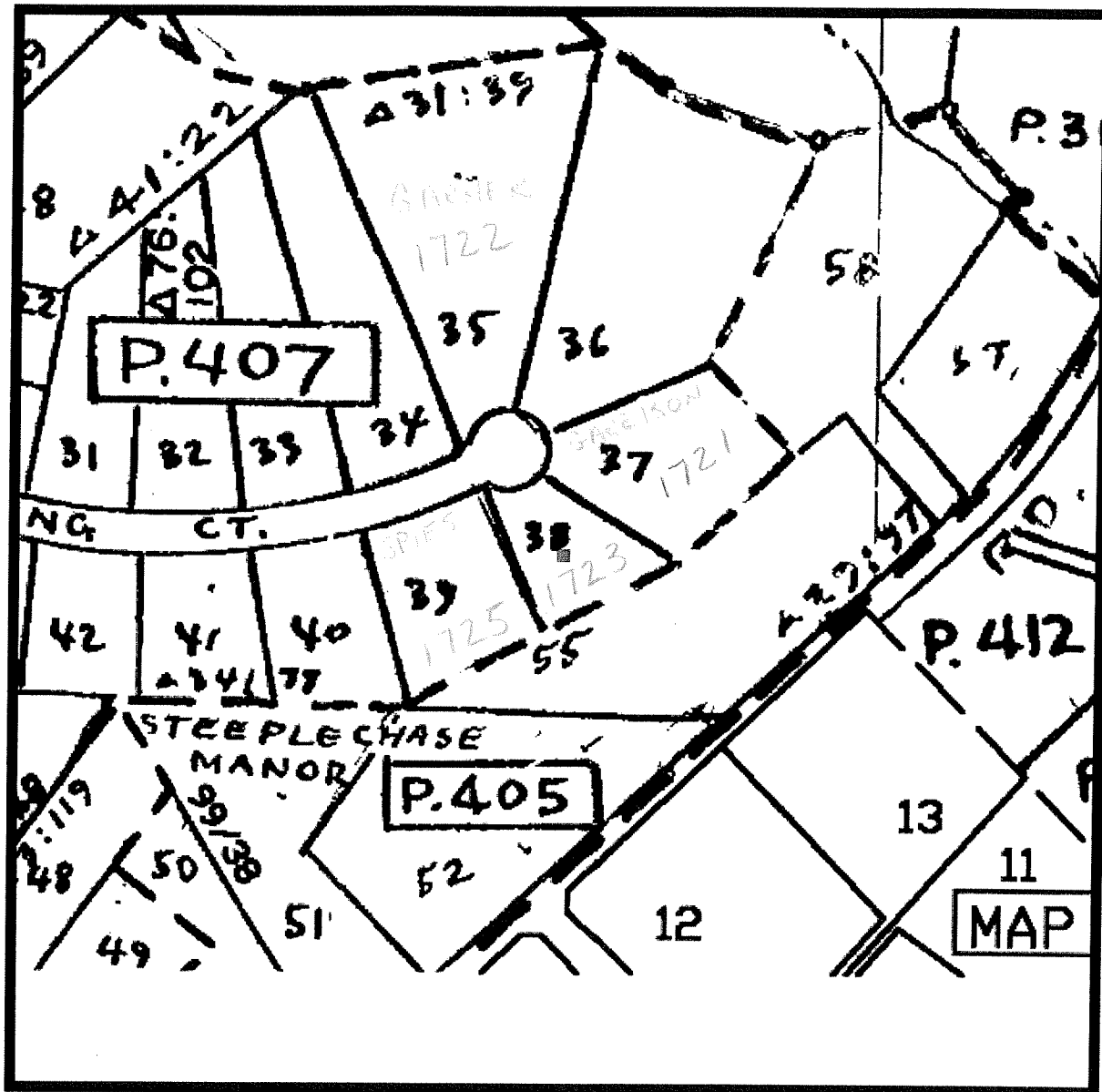
- 1.) The plat is of benefit to a consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer financing or re-financing.
- 2.) The plat is not to be relied upon for the establishment or location of fences, garages, buildings, or other existing or future improvements.
- 3.) The plat does not provide for the accurate identification of property boundary lines, but such identification may not be required for the transfer of title or securing financing or refinancing.
- 4.) I have examined Flood Insurance Rate Map Panel Number 40040-0053A for the subject property and it appears to lie within Zone C per said map.
- 5.) Dimensions shown to apparent lot line are ± 3'.
- 6.) Date of field work: 10-02-01.



**Maryland Department of Assessments and Taxation**  
**HARFORD COUNTY**  
**Real Property Data Search**

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District - 04 Account Number - 008359



Property maps provided courtesy of the Maryland Department of Planning ©2004.  
 For more information on electronic mapping applications, visit the Maryland Department of Planning  
 web site at [www.mdp.state.md.us/webcom/index.html](http://www.mdp.state.md.us/webcom/index.html)

DAVID R. CRAIG  
HARFORD COUNTY EXECUTIVE

LORRAINE COSTELLO  
DIRECTOR OF ADMINISTRATION



ANTHONY S. McCLUNE  
ACTING DIRECTOR OF PLANNING & ZONING

## HARFORD COUNTY GOVERNMENT

### Department of Planning and Zoning

August 3, 2005

#### STAFF REPORT

#### BOARD OF APPEALS CASE NO. 5499

APPLICANT/OWNER: David Raymond Prochazka  
1723 Trotting Court, Jarrettsville, Maryland 21084

Co-APPLICANT: Amelia Louise Prochazka  
1723 Trotting Court, Jarrettsville, Maryland 21084

CONTRACTOR: Paglia Contracting Company, Inc.  
3006 Andover Road, Forest Hill, Maryland 21050

REPRESENTATIVE: Applicant

LOCATION: 1723 Trotting Court, Jarrettsville-Steeplechase Manor  
Tax Map: 32 / Grid: 4C / Parcel: 407 / Lot: 38  
Election District: Fourth (4)

ACREAGE: 29,000± square feet  
0.67± acres

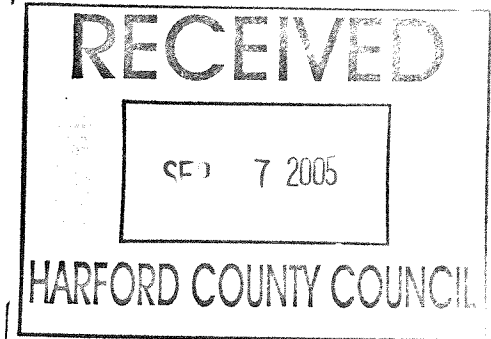
ZONING: RR/Rural Residential

DATE FILED: June 22, 2005

HEARING DATE: September 21, 2005

#### APPLICANT'S REQUEST and JUSTIFICATION:

See ATTACHMENT 1.



*Preserving Harford's past; promoting Harford's future.*

## STAFF REPORT

Board of Appeals Case Number 5499

David and Amelia Prochazka

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### **CODE REQUIREMENTS:**

The Applicant is requesting a variance pursuant to Section 267-35B, Table III of the Harford County Code to permit an addition to maintain minimum side yard of 7-feet with a total of 31-feet ( minimum 15-feet, total of 35-feet required) in the RR/Rural Residential District.

Enclosed with the report is a copy of Section 267-35B, Table III of the Harford County Code (Attachment 2).

### **LAND USE and ZONING ANALYSIS:**

#### Land Use – Master Plan:

The subject property is located south of Jarrettsville. It is situated to the east side of Baldwin Mill Road (MD 165) south of Route 23, in the development of Steeple Chase Manor. The lot is located on the south side of Trotting Court near the end of the cul-de-sac. A location map and a copy of the Applicant's site plan are enclosed with the report (Attachments 3 and 4).

The subject property is located outside of the Development Envelope. The property is located in the Rural Residential area south of the Rural Village of Jarrettsville. The Natural Features Map reflects Agricultural Preservation Districts and Easements, Stream Systems and Sensitive Species Project Review Areas. The subject property is designated as Rural Residential, which is defined by the 2004 Master Plan as:

**Rural Residential** – Areas of focused rural development within the agricultural area, which allow low intensity residential opportunities while maintaining the character of the surrounding countryside. Water and sewer services are not planned for these areas. Residential density is limited to 1.0 dwelling unit per 2 acres.

Enclosed with the report are copies of portions of the 2004 Land Use Map and the Natural Features Map (Attachments 5 and 6).

#### Land Use – Existing:

The existing land uses conform to the overall intent of the Master Plan. Agricultural uses include cropland, pastureland and dense woodland. There are several single-family residential developments in the area. Commercial uses are generally located within the Village of Jarrettsville. The topography of the area ranges from rolling to steep especially near the stream valleys. Enclosed with the report are copies of a topography map for the area and the aerial photograph (Attachments 7 and 8).

The subject lot is located on Trotting Court at the end of the cul-de-sac. Because of its location on the road the lot is pie shaped. The lot is very wide across the rear but narrows down around the cul-de-sac. The topography is basically level from the road to the front of the house, at that

## STAFF REPORT

Board of Appeals Case Number 5499

David and Amelia Prochazka

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point it slopes down to the rear property line and continues into the woods located to the rear. Improvements consist of a brick and frame single-family dwelling, a deck attached to the left rear side of the dwelling, a blacktopped driveway with parking pad, and a shed located to the left rear corner of the property. The house has a walk out basement. There are large mature trees and shrubbery around the lot especially along the side property. The property is nicely landscaped and the improvements appear to be well maintained. Enclosed with the report are copies of site photographs along with an enlargement of the aerial photograph (Attachments 9 and 10).

### Zoning:

The zoning classifications in the area are consistent with the 2004 Master Plan as well as the existing land uses. The predominant zoning classification for this area is AG/Agricultural. There are large areas of Rural Residential representing existing developments. Within the Village of Jarrettsville, there are areas of VR/Village Residential and VB/Village Business zoning. The subject property is zoned RR/Rural Residential as shown on the enclosed copy of the zoning map (Attachment 11).

### SUMMARY:

The Applicant is requesting a variance pursuant to Section 267-35B, Table III of the Harford County Code to permit an addition to maintain minimum side yard of 7-feet with a total of 31-feet ( minimum 15-feet, total of 35-feet required) in the RR/Rural Residential District.

Variances of this nature may be approved by the Board of Appeals pursuant to Section 267-11 of the Harford County Code, provided it finds by reason of the uniqueness of the property or topographical conditions that literal enforcement of the Code would result in practical difficulty and undue hardship. Further, the applicant must show that the request will not be substantially detrimental to adjacent properties or will not materially impair the purpose of the Code or the public interest.

The Applicants have provided a rendering of the proposed addition. The construction will match the existing architecture of the dwelling. The proposed garage will be off-set and the addition will wrap around the rear corner of the dwelling to increase the size of the master bedroom and create a new bathroom (Attachment 12).

The Department finds that the subject property is unique based on its configuration and topography. The lot is one of the smallest lots in the development. The proposed garage will be compatible with other garages in the neighborhood. There will still be 72 feet between the proposed garage and the adjacent dwelling. The request, if approved, will not adversely impact the adjacent properties or the intent of the code.



STAFF REPORT

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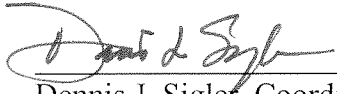
David and Amelia Prochazka

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**RECOMMENDATION and or SUGGESTED CONDITIONS:**

The Department of Planning and Zoning recommends that the request and variance be approved subject to the following conditions:

1. The Applicants shall obtain all necessary permits and inspection for the construction of the garage and addition.
2. The garage shall not be used in the further of a business.
3. The garage shall not be used for the storage of commercial vehicles and or contractors equipment.



Dennis J. Sigler, Coordinator  
Zoning & Board of Appeals Review



Anthony S. McClune, Acting Director  
Department of Planning and Zoning

DJS/ASM/jf